

**ACT No. 2**

2019 Regular Session

HOUSE BILL NO. 25

BY REPRESENTATIVE MCMAHEN

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AN ACT

To amend and reenact R.S. 14:34.4(B)(2), 52.2(E), and 92.2(A)(4) and R.S. 15:1212(B)(4), to enact R.S. 14:2(C), and to repeal R.S. 14:34.1(B)(3), 34.7(B)(3), 34.9(B)(4), 35.3(B)(6), 39.2(C), 43.2(B), 64.4(A)(2), 93.2.3(A)(2), 100(B)(2), 102.12(4), 102.22(B)(2), 108.1(E)(2)(b), 231(D)(4), 403(A)(1)(b)(ii), 403.7(B)(4), and 502(B)(3), relative to the definition of "serious bodily injury"; to provide a universal definition of "serious bodily injury" for purposes of Title 14 of the Louisiana Revised Statutes of 1950; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:34.4(B)(2), 52.2(E), and 92.2(A)(4) are hereby amended and reenacted and R.S. 14:2(C) is hereby enacted to read as follows:

§2. Definitions

\* \* \*

C. For purposes of this Title, "serious bodily injury" means bodily injury which involves unconsciousness; extreme physical pain; protracted and obvious disfigurement; protracted loss or impairment of the function of a bodily member, organ, or mental faculty; or a substantial risk of death. For purposes of R.S. 14:403, "serious bodily injury" shall also include injury resulting from starvation or malnutrition.

\* \* \*

§34.4. Battery of a school or recreation athletic contest official

\* \* \*

B.

\* \* \*

1                   (2) Whoever commits the crime of battery of a school or recreation athletic  
 2 contest official which results in serious bodily injury to the victim as defined in R.S.  
 3 ~~14:34.1(B)(3)~~ shall be fined not less than one thousand dollars and not more than  
 4 five thousand dollars and imprisoned for not less than ten days nor more than six  
 5 months.

\* \* \*

7 §52.2. Negligent arson

\* \* \*

9                   E. Whoever commits the crime of negligent arson resulting in death or  
 10 serious bodily injury to a human being shall be fined not more than five thousand  
 11 dollars and imprisoned, with or without hard labor, for not more than five years. In  
 12 addition, the offender shall be ordered to pay restitution for damages sustained. ~~For~~  
 13 ~~the purposes of this Subsection, "serious bodily injury" means bodily injury that~~  
 14 ~~involves unconsciousness, extreme physical pain or protracted and obvious~~  
 15 ~~disfigurement, or protracted loss or impairment of the function of a bodily member,~~  
 16 ~~organ, or mental faculty, or a substantial risk of death.~~

\* \* \*

18 §92.2. Improper supervision of a minor by parent or legal custodian; penalty

19                   A. Improper supervision of a minor by a parent or legal custodian, who has  
 20 care and control of the minor, includes any of the following:

\* \* \*

22                   (4) Causing or permitting an unlicensed minor to drive a motor vehicle or  
 23 power cycle upon any public road or highway in this state, in violation of R.S.  
 24 32:416 and 417, when the unlicensed minor is involved in a collision which results  
 25 in the serious bodily injury or death of another person. ~~For purposes of this~~  
 26 ~~Paragraph, "serious bodily injury" means a bodily injury which involves~~  
 27 ~~unconsciousness, protracted and obvious disfigurement, or protracted loss or~~  
 28 ~~impairment of the function of a bodily member, organ, or mental faculty, or a~~  
 29 ~~substantial risk of death.~~

\* \* \*

1 Section 2. R.S. 15:1212(B)(4) is hereby amended and reenacted to read as follows:

2 §1212. Creation of database; functions

3 \* \* \*

4 B. The commission shall be the central depository for all information  
5 submitted for entry into the database by law enforcement agencies, correctional  
6 agencies, and institutions and shall have the following functions, powers, and duties:

7 \* \* \*

8 (4) To prepare and distribute, to all such persons and agencies, forms to be  
9 used in reporting data to the database. The forms shall provide for detailed  
10 information regarding the name of the law enforcement officer, the designated  
11 position, the status of all P.O.S.T. certifications and decertifications related to  
12 training and qualifications, the hire date, the final disposition of disciplinary actions  
13 that result in involuntary termination, resignations in lieu of termination, resignations  
14 pending an investigation, final judgments in civil cases related to civil rights  
15 violations under the provisions of 42 U.S.C. 1983 or related to serious bodily injury  
16 as defined in R.S. ~~14:34.1(B)~~ 14:2(C) or criminal cases related to the duties of a law  
17 enforcement officer in the course and scope of his employment when the misconduct  
18 of that specific law enforcement officer gave rise to the cause of action, and the date  
19 of separation from service.

20 \* \* \*

21 Section 3. R.S. 14:34.1(B)(3), 34.7(B)(3), 34.9(B)(4), 35.3(B)(6), 39.2(C), 43.2(B),  
22 64.4(A)(2), 93.2.3(A)(2), 100(B)(2), 102.12(4), 102.22(B)(2), 108.1(E)(2)(b), 231(D)(4),  
23 403(A)(1)(b)(ii), 403.7(B)(4), and 502(B)(3) are hereby repealed in their entirety.

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_

**ACT No. 5**

2019 Regular Session

HOUSE BILL NO. 111

BY REPRESENTATIVES STEFANSKI AND JIM MORRIS

1 AN ACT

2 To amend and reenact R.S. 14:34.6(B)(1), relative to the crime of disarming of a peace  
3 officer; to amend the definition of "law enforcement equipment" for purposes of the  
4 crime; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:34.6(B)(1) is hereby amended and reenacted to read as follows:

7 §34.6. Disarming of a peace officer

8 \* \* \*

9 B. For purposes of this Section:

10 (1) "Law enforcement equipment" shall include any firearms, weapons,  
11 restraints, ballistics shields, forced entry tools, defense technology equipment, self-  
12 defense batons, self-defense sprays, chemical weapons, or electro shock weapons  
13 ~~issued to a peace officer and~~ used by the peace officer in the course and scope of his  
14 law enforcement duties and approved for such use by the peace officer's law  
15 enforcement agency.

16 \* \* \*

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_

**ACT No. 12**

2019 Regular Session

HOUSE BILL NO. 180

BY REPRESENTATIVE BAGLEY

1 AN ACT

2 To enact R.S. 14:338, relative to offenses affecting the public generally; to create the crime  
3 of interfering with emergency communication; to provide for elements of the  
4 offense; to provide for definitions; to provide criminal penalties; and to provide for  
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:338 is hereby enacted to read as follows:

8 §338. Interfering with emergency communication

9 A. The crime of interfering with emergency communication is committed  
10 when a person disconnects, damages, disables, removes, or uses physical force or  
11 intimidation to block access to any telephone or telecommunications device with the  
12 specific intent to interfere or prevent an individual from doing any of the following:

13 (1) Using a 911 emergency telephone number.

14 (2) Obtaining medical assistance.

15 (3) Making a report to any law enforcement officer.

16 B. Whoever commits the crime of interfering with emergency  
17 communication as defined by this Section shall be either fined not more than five  
18 hundred dollars, imprisoned for not more than six months, or both.

19 C. For the purposes of this Section:

20 (1) "Law enforcement officer" shall include commissioned police officers,  
21 state police officers, sheriffs, deputy sheriffs, marshals, deputy marshals, correctional  
22 officers, constables, wildlife enforcement agents, and probation and parole officers.

23 (2) "Telecommunications device" shall mean any type of instrument, device,  
24 or machine that is capable of transmitting or receiving telephonic, electronic, radio,

1            text, or data communications, including but not limited to a cellular telephone, a  
2            text-messaging device, a personal digital assistant, a computer, or any other similar  
3            wireless device that is designed to engage in a call or communicate text or data.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_

**ACT No. 88**

2019 Regular Session

HOUSE BILL NO. 7

BY REPRESENTATIVE DWIGHT

1 AN ACT

2 To enact R.S. 14:73.11, relative to communications; to create the crime of communication  
3 interference; to provide elements of the crime; to provide for criminal penalties; to  
4 provide for exceptions; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:73.11 is hereby enacted to read as follows:

7 §73.11. Communication interference

8 A. It shall be unlawful for any person to willfully or maliciously injure,  
9 destroy, obstruct, hinder, delay the transmission of, or interfere with any of the  
10 following communications:

11 (1) A communication that is operated or controlled by the state, its  
12 contractors, or its political subdivisions.

13 (2) A communication that is used or intended to be used for military or civil  
14 defense functions of the state.

15 (3) A communication that is controlled by any domestic or foreign  
16 corporation, limited liability company, or other legal entity created for the purpose  
17 of or engaged in generating, transmitting, providing, and distributing utilities or  
18 utility services to the public.

19 B. For purposes of this Section:

20 (1) "Communication" includes any radio, telegraph, telephone, electronic,  
21 satellite, or cable communication.

22 (2) "Utilities" or "utility services" includes services such as electricity, water,  
23 natural gas, steam, cable, or electronic communication systems.

1                    C. The provisions of this Section shall not apply to any of the following:

2                    (1) Any lawful strike activity, or other lawful concerted activities for the  
3                    purposes of collective bargaining or other mutual aid and protection which do not  
4                    injure or destroy any line or system used or intended to be used for and by the state,  
5                    for military or civil defense functions of the state, or for any private entity as  
6                    described in Subsection A of this Section.

7                    (2) An entity the security issues of which are subject to approval, control,  
8                    regulation, or supervision by the federal government or any agency thereof under any  
9                    other federal statute; an entity whose business is subject to regulation by the Federal  
10                   Communications Commission; or any entity conducting or carrying on its business  
11                   or operations in two or more states when engaged in the course and scope of their  
12                   business activities.

13                   (3) Member-owned electric cooperatives, municipally owned electric service  
14                   providers, privately owned utilities, or investor-owned utilities regulated by the  
15                   Louisiana Public Service Commission or the city council of New Orleans when  
16                   engaged in the course and scope of their business activities.

17                   D.(1) Any person convicted of a first offense of Subsection A of this Section  
18                   shall be subject to a fine of not more than ten thousand dollars, imprisonment with  
19                   or without hard labor for not more than ten years, or both.

20                   (2) Any person convicted of a second or subsequent offense of Subsection  
21                   A of this Section shall be subject to a fine of not more than ten thousand dollars,  
22                   imprisonment with or without hard labor for not more than fifteen years, or both.

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_



**ACT No. 104**

2019 Regular Session

HOUSE BILL NO. 241

BY REPRESENTATIVES MIKE JOHNSON AND MARINO AND SENATOR CARTER

1 AN ACT

2 To amend and reenact R.S. 13:1621(A)(1), R.S. 14:40.7(D)(2), 73.10(C)(2), 92.3(A), and  
3 95.8(A) and (C)(introductory paragraph), R.S. 15:1031, 1096.2(A), 1098.3, 1099.3,  
4 and R.S. 46:1933(B), relative to juveniles; to provide relative to juvenile court  
5 jurisdiction; to provide relative to the application of delinquency provisions to  
6 seventeen-year-olds; to provide relative to the application of certain non-violent  
7 crimes based upon the age of the offender; to provide relative to the establishment  
8 of schools for juveniles who are adjudicated delinquent; to provide relative to  
9 rehabilitative programs for juveniles preadjudication; to provide relative to  
10 multiparish juvenile detention home districts; and to provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 13:1621(A)(1) is hereby amended and reenacted to read as follows:

13 §1621. Juvenile court for the parish of East Baton Rouge; establishment;  
14 jurisdiction

15 A. There shall be a separate juvenile court for the parish of East Baton  
16 Rouge which shall be a court of record and shall be known as the "Juvenile Court for  
17 the Parish of East Baton Rouge". There shall be two judges of the juvenile court,  
18 who shall preside over that court. The court shall have exclusive jurisdiction in the  
19 following proceedings:

20 (1) All proceedings in the interest of children under ~~seventeen~~ eighteen years  
21 of age alleged to be delinquent, except as otherwise provided in ~~R.S. 13:1570 and~~  
22 ~~1571.1 through 1571.4 and Code of Juvenile Procedure Article 106~~ the Children's  
23 Code; and all proceedings in the interest of children under eighteen years of age  
24 alleged to be in need of supervision or in need of care.

25 \* \* \*

1 Section 2. R.S. 14:40.7(D)(2), 73.10(C)(2), 92.3(A), and 95.8(A) and  
2 (C)(introductory paragraph) are hereby amended and reenacted to read as follows:

3 §40.7. Cyberbullying

4 \* \* \*

5 D.

6 \* \* \*

7 (2) When the offender is under the age of ~~seventeen~~ eighteen, the disposition  
8 of the matter shall be governed exclusively by the provisions of Title VII of the  
9 Children's Code.

10 \* \* \*

11 §73.10. Online impersonation

12 \* \* \*

13 C.

14 \* \* \*

15 (2) When the offender is under the age of ~~seventeen~~ eighteen years, the  
16 disposition of the matter shall be governed exclusively by the provisions of Title VII  
17 of the Children's Code.

18 \* \* \*

19 §92.3. Retaliation by a minor against a parent, legal custodian, witness, or  
20 complainant

21 A. Retaliation by a minor against a parent, legal custodian, witness, or  
22 complainant is the willful, malicious, and repeated threats of force against or  
23 harassment of a person or his property by a minor under the age of ~~seventeen~~  
24 eighteen accompanied by an overt act on the part of the minor or by the apparent  
25 capability of the minor to carry out the threat or harassment, against a parent, legal  
26 custodian, person who filed a complaint against the minor, or a witness in a criminal  
27 case in which the minor is the defendant or charged with a delinquency and the  
28 minor intends to place that person in a reasonable fear of death, serious bodily injury,  
29 or damage to property.

30 \* \* \*

1 §95.8. Illegal possession of a handgun by a juvenile

2 A. It is unlawful for any person who has not attained the age of ~~seventeen~~  
3 eighteen years knowingly to possess any handgun on his person. Any person  
4 possessing any handgun in violation of this Section commits the offense of illegal  
5 possession of a handgun by a juvenile.

6 \* \* \*

7 C. The provisions of this Section shall not apply to any person under the age  
8 of ~~seventeen~~ eighteen years who is:

9 \* \* \*

10 Section 3. R.S. 15:1031, 1096.2(A), 1098.3, and 1099.3 are hereby amended and  
11 reenacted to read as follows:

12 §1031. Establishment of parish schools for youths authorized

13 The governing authorities of the parishes may establish, within their parishes,  
14 an industrial school for male youths of the age ~~seventeen~~ eighteen years, and under,  
15 convicted in the juvenile court of the parish for offenses within the jurisdiction of the  
16 juvenile court. Where any school has been so established, it shall be employed only  
17 for the delinquent juveniles convicted within the parish, and shall be known as the  
18 "Parish Industrial School for Youths."

19 \* \* \*

20 §1096.2. Purpose

21 A. The purpose of the commission shall be to assist and afford opportunities  
22 to preadjudicatory and postadjudicatory children who enter the juvenile justice  
23 system, or who are children in need of care or supervision, to become productive,  
24 law-abiding citizens of the community, parish, and state by the establishment of  
25 rehabilitative programs within a structured environment and to provide physical  
26 facilities and related services for children, including the housing, care, supervision,  
27 maintenance, and education of juveniles under the age of ~~seventeen~~ eighteen years,  
28 and for ~~juveniles~~ individuals ~~seventeen~~ eighteen years of age and over who were

1 under ~~seventeen~~ eighteen years of age when they committed an alleged offense,  
2 throughout the parishes within the district and other participating parishes.

3 \* \* \*

4 §1098.3. Purpose

5 The commission may assist and afford opportunities to preadjudicatory and  
6 postadjudicatory children who enter the juvenile justice system to become  
7 productive, law-abiding citizens of the community, parish, and state by the  
8 establishment of rehabilitative programs within a structured environment and provide  
9 physical facilities and related services for children, including the housing, care,  
10 supervision, maintenance, and education of juveniles under the age of ~~seventeen~~  
11 eighteen years, and for ~~juveniles~~ individuals ~~seventeen~~ eighteen years of age and  
12 over who were under ~~seventeen~~ eighteen years of age when they committed an  
13 alleged offense, throughout St. James Parish and participating parishes.

14 \* \* \*

15 §1099.3. Purpose

16 A governing authority may assist and afford opportunities to preadjudicatory  
17 and postadjudicatory children who enter the juvenile justice system to become  
18 productive, law-abiding citizens of the community, parish, and state by the  
19 establishment of rehabilitative programs within a structured environment and provide  
20 physical facilities and related services for children, including the housing, care,  
21 supervision, maintenance, and education of juveniles under the age of ~~seventeen~~  
22 eighteen years, and for ~~juveniles~~ individuals ~~seventeen~~ eighteen years of age and  
23 over who were under ~~seventeen~~ eighteen years of age when they committed an  
24 alleged offense, throughout the parish and participating parishes.

25 Section 4. R.S. 46:1933(B) is hereby amended and reenacted to read as follows:

26 §1933. Organization and powers

27 \* \* \*

28 B. Any multiparish juvenile detention home district may acquire title by  
29 purchase or donation to real and personal property for public purposes; may own,  
30 operate or maintain facilities for the housing, care, supervision, maintenance and

1 education of juveniles under the age of ~~seventeen~~ eighteen years, and for juveniles  
2 ~~seventeen~~ individuals eighteen years of age and over who were under ~~seventeen~~  
3 eighteen years of age when they committed an alleged offense.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_

**ACT No. 249**

2019 Regular Session

HOUSE BILL NO. 577

BY REPRESENTATIVES NORTON, ADAMS, BAGNERIS, BRASS, JEFFERSON,  
JENKINS, AND MOORE

1 AN ACT

2 To amend and reenact R.S. 14:122.2, relative to threatening a public official or law  
3 enforcement officer; to provide relative to the crime of threatening a public official;  
4 to add law enforcement officers as a victim of the crime; to define "true threats"; to  
5 define "law enforcement officer"; to define "verbal or written communication" for  
6 purposes of the crime; to provide that the crime applies to threats made through  
7 social media; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 14:122.2 is hereby amended and reenacted to read as follows:

10 §122.2. Threatening a public official or law enforcement officer; penalties;  
11 definitions

12 A.(1) Threatening a public official or law enforcement officer is engaging  
13 in any verbal or written communication ~~which threatens serious bodily injury or~~  
14 ~~death~~ that is a true threat to a public official or law enforcement officer.

15 (2) ~~Except as provided in Subsection B, whoever~~ Whoever commits the  
16 crime of threatening a public official or law enforcement officer shall be fined not  
17 more than five hundred dollars, or imprisoned for not more than six months, or both.

18 ~~B. Whoever commits the crime of threatening a public official with the intent~~  
19 ~~to influence his conduct in relation to his position, employment, or official duty, or~~  
20 ~~in retaliation as reprisal for his previous action in relation to his position,~~  
21 ~~employment, or official duty, shall be fined not more than five hundred dollars, or~~  
22 ~~imprisoned for not more than six months, or both.~~

1                    ~~C.B.~~ For the ~~purpose~~ purposes of this Section, "public:"

2                    (1) "Public official" is ~~defined as~~ means any executive, ministerial,  
3 administrative, judicial, or legislative officer of the state of Louisiana.

4                    (2) "Law enforcement officer" means any employee of the state, a  
5 municipality, a sheriff, or other public agency, whose permanent duties include the  
6 making of arrests, the performing of searches and seizures, or the execution of  
7 criminal warrants, and who is responsible for the prevention or detection of crime  
8 or for the enforcement of the penal, traffic, or highway laws of this state.

9                    (3) "True threats" occur when a person communicates a serious expression  
10 of an intent to commit an unlawful act of violence upon a person or group of persons  
11 with the intent to place such persons in fear of bodily harm or death. The person  
12 need not intend to carry out the threat.

13                    (4) "Verbal or written communication" means any textual, visual, written,  
14 or oral communication, including communications made through social media.

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_

**ACT No. 285**

2019 Regular Session

HOUSE BILL NO. 359

BY REPRESENTATIVES MIKE JOHNSON AND ABRAMSON

1 AN ACT

2 To amend and reenact R.S. 14:62.5(A), relative to the crime of looting; to provide for the  
3 crime of looting; to provide relative to the elements of the offense; and to provide for  
4 related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:62.5(A) is hereby amended and reenacted to read as follows:

7 §62.5. Looting

8 A. Looting is the intentional entry by a person without authorization of any  
9 of the following when into any dwelling or other structure belonging to another and  
10 used in whole or in part as a home or place of abode by a person, or any structure  
11 belonging to another and used in whole or in part as a place of business, or any  
12 vehicle, watercraft, building, plant, establishment, or other structure, movable or  
13 immovable, in which normal security of property is not present by virtue of a  
14 hurricane, flood, fire, act of God, or force majeure of any kind, or by virtue of a riot,  
15 mob, or other human agency, and the person obtaining or obtains, exerting exerts  
16 control over, or damaging damages, or removing removes the property of the owner  
17 another without authorization:

18 (1) Any dwelling or other structure belonging to another and used in whole  
19 or in part as a home or place of abode by a person.

20 (2) Any structure belonging to another and used in whole or in part as a place  
21 of business.

22 (3) Any vehicle, watercraft, building, plant, establishment, or other structure,  
23 movable or immovable.

24 \* \* \*



1 Section 2. This Act shall become effective on July 1, 2019.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_

**ACT No. 290**

2019 Regular Session

HOUSE BILL NO. 47

BY REPRESENTATIVE JENKINS

1 AN ACT

2 To amend and reenact R.S. 14:92.2(A)(1) and (2), (B)(1), (C), and (D), to enact Code of  
3 Criminal Procedure Article 211.3, and to repeal R.S. 14:92.2(B)(4), relative to  
4 improper supervision of a minor; to amend the penalties for the crime of improper  
5 supervision of a minor by a parent or legal custodian; to provide relative to  
6 sentencing; to require issuance of a summons in lieu of arrest of persons who commit  
7 the offense; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 14:92.2(A)(1) and (2), (B)(1), (C), and (D) are hereby amended and  
10 reenacted to read as follows:

11 §92.2. Improper supervision of a minor by parent or legal custodian; ~~penalty~~

12 A. Improper supervision of a minor by a parent or legal custodian, who has  
13 care and control of the minor, includes any of the following:

14 (1) Through criminal negligence, ~~the~~ or knowingly or willfully, permitting  
15 ~~of~~ the minor to associate with a person known by the parent or custodian to be any  
16 of the following:

17 (a) ~~To be a~~ A member of a known criminal street gang as defined in R.S.  
18 15:1404(A).

19 (b) ~~To have been convicted~~ Convicted of a felony offense.

20 (c) ~~To be a known~~ A user or distributor of drugs in violation of the Uniform  
21 Controlled Dangerous Substances Law.



1           D.(1) No parent or legal guardian shall be guilty of a violation of this Section  
 2           if, upon acquiring knowledge that the minor has undertaken acts as described in  
 3           ~~Paragraphs (1) and (2) of Subsection A~~ Paragraphs (A)(1) and (2) of this Section, the  
 4           parent or legal guardian seeks the assistance of local, parish, or state law  
 5           enforcement officials, school officials, social services officials, or other appropriate  
 6           authorities in either leading the child to modify his or her behavior, or in referring  
 7           the child to appropriate treatment or corrective facilities.

8           (2) When imposing the sentence for a person convicted of this offense, the  
 9           court shall consider the totality of the circumstances including the best interest of the  
 10          minor.

11          Section 2. Code of Criminal Procedure Article 211.3 is hereby enacted to read as  
 12          follows:

13          Art. 211.3. Summons by officer instead of arrest and booking; improper supervision  
 14          of a minor by parent or legal guardian

15          A. When a peace officer has reasonable grounds to believe that a person has  
 16          committed the offense of improper supervision of a minor by parent or legal  
 17          custodian as defined in R.S. 14:92.2, he may issue a written summons instead of  
 18          making an arrest unless any of the following conditions exist:

19                  (1) The officer has reasonable grounds to believe that the person will not  
 20                  appear upon summons.

21                  (2) The officer has reasonable grounds to believe that the person will cause  
 22                  injury to himself or another, will cause damage to property, or will continue in the  
 23                  same or a similar offense unless immediately arrested and booked.

24                  (3) It is necessary to book the person to comply with routine identification  
 25                  procedures.

26                  B. In any case in which a summons has been issued, a warrant of arrest may  
 27                  later be issued in its place. If the offender fails to appear pursuant to the summons,  
 28                  the court shall immediately issue a warrant for the arrest of the offender.

1 Section 3. R.S. 14:92.2(B)(4) is hereby repealed in its entirety.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_

# ACT No. 292

2019 Regular Session

HOUSE BILL NO. 74

BY REPRESENTATIVE TERRY LANDRY

1 AN ACT

2 To amend and reenact R.S. 14:73.1(12), (13), and (14), and to enact R.S. 14:73.1(15) and  
3 73.11, relative to computer-related crimes; to create the crime of trespass against  
4 state computers; to provide for elements of the crime; to provide for criminal  
5 penalties; to provide for definitions; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:73.1(12), (13), and (14) are hereby amended and reenacted and  
8 R.S. 14:73.1(15) and 73.11 are hereby enacted to read as follows:

9 §73.1. Definitions

10 As used in this Subpart unless the context clearly indicates otherwise:

11 \* \* \*

12 (12) "Internet-connected device" means a physical object to which both of  
13 the following apply:

14 (a) Is capable of connecting to, and is in regular connection with, the  
15 internet.

16 (b) Has computer processing capabilities that can collect, send, or receive  
17 data.

18 ~~(12)~~(13) "Proper means" includes:

19 (a) Discovery by independent invention.

20 (b) Discovery by "reverse engineering", that is by starting with the known  
21 product and working backward to find the method by which it was developed. The  
22 acquisition of the known product must be by lawful means.

23 (c) Discovery under license or authority of the owner.

24 (d) Observation of the property in public use or on public display.

25 (e) Discovery in published literature.



1            B. Information, documents, or records deemed confidential or not subject to  
 2            disclosure or inspection under R.S. 44.1 et seq., shall be considered information that  
 3            has been determined by the state of Louisiana to require protection against  
 4            unauthorized disclosure for reasons of protecting the public health, safety, welfare,  
 5            or an ongoing law enforcement investigation under Paragraphs (A)(1) and (2) of this  
 6            Section.

7            C.(1) Any person convicted of a first offense of Paragraph (A)(1) of this  
 8            Section shall be subject to a fine of not more than three thousand dollars,  
 9            imprisonment, with or without hard labor, for not more than three years, or both.

10           (2) Any person convicted of a first offense of Paragraph (A)(2) or (3) of this  
 11           Section shall be subject to a fine of not more than five thousand dollars,  
 12           imprisonment, with or without hard labor, for not more than three years, or both.

13           (3) Any person convicted of a second or subsequent offense of Subsection  
 14           A of this Section shall be subject to a fine of not more than ten thousand dollars,  
 15           imprisonment, with or without hard labor, for not more than five years, or both.

16           (4) Except as provided in Subsection D of this Section, in addition to the  
 17           penalties provided in Paragraphs (C)(1) and (2) of this Section, the following  
 18           property of any individual who is convicted of trespass against state computers shall  
 19           be subject to forfeiture to the state of Louisiana and no property rights shall exist  
 20           therein:

21           (a) Any movable property used or intended to be used to commit or to  
 22           facilitate the commission of any violation of this Section, or conspiracy to commit  
 23           a violation of this Section.

24           (b) Any property, movable or immovable, which constitutes or is derived  
 25           from proceeds traceable to any violation of this Section, or a conspiracy to commit  
 26           a violation of this Section.

27           (c) When property is forfeited under the provisions of this Paragraph, the  
 28           district attorney shall authorize a public sale or a public auction conducted by a  
 29           licensed auctioneer, without appraisal, of that which is not required by law to be  
 30           destroyed and which is not harmful to the public.



1                   (d) The proceeds of the public sale or public auction shall pay the costs of  
 2                   the public sale or public auction, court costs, and fees related to the seizure and  
 3                   storage of the property. Any proceeds remaining shall be distributed by the district  
 4                   attorney in the following manner:

5                   (i) Thirty percent to the seizing agency or agencies in an equitable manner.

6                   (ii) Twenty percent to the prosecuting agency.

7                   (iii) Twenty percent to the criminal court fund of the parish in which the  
 8                   offender was prosecuted.

9                   (iv) Thirty percent to the public defender in the jurisdiction in which the  
 10                   offender was prosecuted.

11                   D.(1) Any property seized pursuant to the provisions of Paragraph (C)(4) of  
 12                   this Section shall be exempt from forfeiture and sale if it was stolen or if the  
 13                   possessor of the property was not the owner and the owner did not know that the  
 14                   personal property was being used in the violation of the provisions of this Section.  
 15                   If the exemption provided by this Subsection is applicable, the property shall not be  
 16                   released until such time as all applicable fees related to its seizure and storage are  
 17                   paid. However, an internet service provider shall not be required to pay seizure or  
 18                   storage fees to secure the release of equipment leased to an offender.

19                   (2)(a) Property subject to forfeiture pursuant to the provisions of Paragraph  
 20                   (C)(4) of this Section shall be exempt from forfeiture and sale when a spouse, co-  
 21                   owner, or interest holder in the property establishes by sworn affidavit executed  
 22                   before a notary public the following:

23                   (i) That he had no knowledge of the commission of the criminal conduct and  
 24                   could not have reasonably known of the conduct.

25                   (ii) That he did not consent to the use of property in the commission of the  
 26                   criminal conduct.

27                   (iii) That he owns an interest in the property otherwise subject to forfeiture.

28                   (b) Intentionally falsifying the affidavit information required by the  
 29                   provisions of this Paragraph shall subject the affiant to prosecution under the  
 30                   provisions of R.S. 14:125.

1                   (3) The property of an internet service provider shall be exempt from  
2                   forfeiture.

3                   (4) Any property seized pursuant to the provisions of Paragraph (C)(4) shall  
4                   be exempt from sale if it is subject to a lien, security interest, or mortgage recorded  
5                   prior to the date of the offense and if the applicable fees related to the property's  
6                   seizure and storage are paid by a holder of a valid lien, security interest, or mortgage.

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_

# ACT No. 296

2019 Regular Session

HOUSE BILL NO. 162

BY REPRESENTATIVE CONNICK

1 AN ACT

2 To amend and reenact R.S. 14:43.6(A), (B)(1), and (C)(1) and (2), relative to sentencing of  
3 sex offenses; to provide relative to the sentencing of persons convicted of certain sex  
4 offenses; to provide relative to the administration of medroxyprogesterone acetate  
5 to persons convicted of certain sex offenses; to add sexual battery of a victim under  
6 the age of thirteen to the list of offenses for which medroxyprogesterone acetate may  
7 be administered to the offender; to provide relative to medical evaluations of the  
8 offender conducted prior to treatment; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 14:43.6(A), (B)(1), and (C)(1) and (2) are hereby amended and  
11 reenacted to read as follows:

12 §43.6. Administration of medroxyprogesterone acetate (MPA) to certain sex  
13 offenders

14 A. Notwithstanding any other provision of law to the contrary, upon a first  
15 conviction of R.S. 14:42 (aggravated or first degree rape), R.S. 14:42.1 (forcible or  
16 second degree rape), R.S. 14:43.1(C)(2) (sexual battery when the victim is under the  
17 age of thirteen), R.S. 14:43.2 (second degree sexual battery), R.S. 14:81.2(D)(1)  
18 (molestation of a juvenile when the victim is under the age of thirteen), and R.S.  
19 14:89.1 (aggravated crime against nature), the court may sentence the offender to be  
20 treated with medroxyprogesterone acetate (MPA), according to a schedule of  
21 administration monitored by the Department of Public Safety and Corrections.





**ACT No. 311**

2019 Regular Session

HOUSE BILL NO. 307

BY REPRESENTATIVE MIKE JOHNSON

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AN ACT

To amend and reenact R.S. 14:122(A)(introductory paragraph), (B)(introductory paragraph), and (C) and 122.2, and to enact R.S. 14:122(D), relative to bribery and intimidation; to provide relative to public intimidation and retaliation; to provide relative to the elements of the crimes; to provide relative to the type of threats made; to provide relative to the crime of threatening a public official; to add law enforcement officers as a victim of the crime; to provide that the crime applies to threats made through social media; to include extortionate threats or true threats; to provide for definitions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:122(A)(introductory paragraph), (B)(introductory paragraph), and (C) and 122.2 are hereby amended and reenacted and R.S. 14:122(D) is hereby enacted to read as follows:

§122. Public intimidation and retaliation

A. Public intimidation is the use of violence, force, ~~or~~ extortionate threats, or true threats upon any of the following persons, with the intent to influence his conduct in relation to his position, employment, or duty:

\* \* \*

B. Retaliation against an elected official is the use of violence, force, ~~or~~ extortionate threats, or true threats upon a person who is elected to public office, where:

\* \* \*



1           (2) "Law enforcement officer" means any employee of the state, a  
 2           municipality, a sheriff, or other public agency, whose permanent duties actually  
 3           include the making of arrests, the performing of searches and seizures, or the  
 4           execution of criminal warrants, and who is responsible for the prevention or  
 5           detection of crime or for the enforcement of the penal, traffic, or highway laws of  
 6           this state.

7           (3) "True threats" occur when a person communicates a serious expression  
 8           of an intent to commit an unlawful act of violence upon a person or group of persons  
 9           with the intent to place such persons in fear of bodily harm or death. The person  
 10          need not actually intend to carry out the threat.

11          (4) "Verbal or written communication" means any textual, visual, written,  
 12          or oral communication, including communications made through social media.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_



**ACT No. 355**

2019 Regular Session

HOUSE BILL NO. 184

BY REPRESENTATIVE HENRY

1 AN ACT

2 To enact R.S. 14:38.4 and 63.5, relative to school athletic and recreational athletic contests;  
3 to create the crime of harassment of a school or recreation athletic contest official;  
4 to create the crime of entry or remaining on site of a school athletic or recreation  
5 athletic contest after being forbidden; to provide for definitions; to provide for  
6 penalties; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 14:38.4 and 63.5 are hereby enacted to read as follows:

9 §38.4. Harassment of a school or recreation athletic contest official

10 A.(1) No person shall engage in the harassment of a school athletic or  
11 recreation athletic contest official that occurs under either of the following  
12 circumstances:

13 (a) While the school athletic or recreation athletic contest official is actively  
14 engaged in the conducting, supervising, refereeing, or officiating of a school-  
15 sanctioned interscholastic athletic contest or a sanctioned recreation athletic contest.

16 (b) In the immediate vicinity of a school-sanctioned interscholastic athletic  
17 contest or a sanctioned recreation athletic contest and is based on the official's  
18 performance in the conducting, supervising, refereeing, or officiating of a school-  
19 sanctioned interscholastic athletic contest or a sanctioned recreation athletic contest.

20 (2) For purposes of this Paragraph, "harassment" shall include verbal or non-  
21 verbal behavior by the offender that would cause a reasonable person to be placed  
22 in fear of receiving bodily harm.



1           or location of the athletic contest, after having been forbidden to do so, either orally  
2           or in writing, by any owner, lessee, or custodian of the property or by any other  
3           authorized person.

4                   B. Whoever violates the provisions of this Section shall be fined not more  
5           than five hundred dollars, imprisoned without hard labor for not more than six  
6           months, or both.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_

**ACT No. 382**

2019 Regular Session

HOUSE BILL NO. 443

BY REPRESENTATIVE NANCY LANDRY

1 AN ACT

2 To amend and reenact R.S. 14:40.8(B) and R.S. 17:1801(C), 1801.1(C), and 1805(A)(3),  
3 (B), and (D)(2) and to enact R.S. 17:1801.1(B)(3), relative to criminal hazing; to  
4 require reporting to law enforcement by an education institution or representative of  
5 a national or parent organization that receives a report of an alleged act of hazing;  
6 to provide relative to a national or parent organization's investigation and reporting  
7 of alleged acts of hazing; to provide relative to penalties for failure to report; to  
8 require the Board of Regents to develop a standardized form for reporting and  
9 documenting alleged acts of hazing and a policy relative to making certain  
10 documented information available to the public; to require that parents be provided  
11 hazing educational information under certain circumstances; to require organizations  
12 to adopt certain policies as a condition of operating at an institution and provide  
13 education relative to such policies; to apply requirements relative to hazing  
14 prevention education to an organization's employees and volunteers; to provide  
15 relative to the authority of university and college police officers with regard to  
16 criminal hazing; and to provide for related matters.

17 Be it enacted by the Legislature of Louisiana:

18 Section 1. R.S. 14:40.8(B) is hereby amended and reenacted to read as follows:

19 §40.8. Criminal hazing

20 \* \* \*

21 B.(1)(a) If any person serving as a representative or officer of an  
22 organization, including any representative, director, trustee, or officer of any national

1 or parent organization of which any of the underlying entities provided for in  
 2 Paragraph (C)(3) of this Section is a sanctioned or recognized member at the time  
 3 of the hazing, knew and failed to report, as soon as practicable under the  
 4 circumstances, to law enforcement that one or more of the organization's members  
 5 were hazing another person, the organization may be subject to the following:

6 ~~(a)~~(i) Payment of a fine of up to ten thousand dollars.

7 ~~(b)~~(ii) Forfeiture of any public funds received by the organization.

8 ~~(c)~~(iii) Forfeiture of all rights and privileges of being an organization that is  
 9 organized and operating at the education institution for a specific period of time as  
 10 determined by the court. If the hazing results in the serious bodily injury or death  
 11 of the victim, or results in the victim having a blood alcohol concentration of at least  
 12 0.30 percent by weight based on grams of alcohol per one hundred cubic centimeters  
 13 of blood, the period of time shall be for not less than four years.

14 ~~(2) A national or parent organization that receives a report alleging the~~  
 15 ~~commission of an act or acts of hazing may conduct a timely and efficient~~  
 16 ~~investigation to substantiate or determine the veracity of the allegations prior to~~  
 17 ~~making a report to law enforcement. The investigation shall be completed no later~~  
 18 ~~than fourteen days after the date on which the report was received alleging the~~  
 19 ~~commission of an act or acts of hazing.~~

20 (b) Information reported to law enforcement as provided in Subparagraph  
 21 (a) of this Paragraph shall include all details received by the organization relative to  
 22 the alleged incident, with no information being redacted, including the name of all  
 23 individuals alleged to have committed the act or acts of hazing.

24 (2) An education institution that receives a report alleging the commission  
 25 of an act or acts of hazing by one or more members of an organization that is  
 26 organized and operating at the education institution shall report, as soon as  
 27 practicable under the circumstances, the alleged act or acts to the law enforcement  
 28 agency having jurisdiction in the place where the alleged act or acts of hazing  
 29 occurred. The information reported to law enforcement as required by this  
 30 Paragraph shall include all details received by the institution relative to the alleged

1 incident, with no information being redacted, including the name of all individuals  
 2 alleged to have committed the act or acts of hazing. Any education institution who  
 3 fails to comply with the provisions of this Paragraph may be subject to a fine of up  
 4 to ten thousand dollars.

5 \* \* \*

6 Section 2. R.S. 17:1801(C), 1801.1(C), and 1805(A)(3), (B), and (D)(2) are hereby  
 7 amended and reenacted and R.S. 17:1801.1(B)(3) is hereby enacted to read as follows:

8 §1801. Hazing prohibited; reporting; documentation

9 \* \* \*

10 C.(1) If an organization has taken disciplinary action against one of its  
 11 members for hazing or has reason to believe that any member of the organization has  
 12 participated in an incident of hazing, the organization shall report the incident to the  
 13 institution with which it is affiliated. If an organization or any of its members has  
 14 been disciplined by a parent organization for hazing, the organization shall report the  
 15 hazing for which the organization was disciplined to the institution with which it is  
 16 affiliated.

17 (2) When the institution receives a report of an alleged incident of hazing  
 18 pursuant to the provisions of Paragraph (1) of this Subsection, the institution shall  
 19 do both of the following:

20 (a) Report to law enforcement as required by R.S. 14:40.8. The information  
 21 reported to law enforcement shall include all information and details received by the  
 22 institution relative to the alleged incident, with no information being redacted,  
 23 including the name of all individuals alleged to have committed the act or acts of  
 24 hazing identified in the report.

25 (b) Document in writing all actions taken with regard to the report including  
 26 but not limited to the date the report was received, reports made to law enforcement  
 27 as provided in R.S. 14:40.8, and any other information relative to the institution's  
 28 investigation, processing, and resolution of the incident.

29 (3) The Board of Regents, in consultation with the public postsecondary  
 30 education management boards, shall develop the following:

1                   (a) A standardized form that organizations shall use in making the reports  
2                   required by Paragraph (1) of this Subsection.

3                   (b) A standardized form that institutions shall use to document such reports,  
4                   reports made to law enforcement as provided in R.S. 14:40.8, and the manner in  
5                   which each hazing incident is handled and resolved at the institution level.

6                   (c) A policy relative to making available to the public certain information  
7                   relative to hazing that is documented pursuant to this Paragraph.

8   \*           \*           \*

9                   §1801.1. Hazing education; policies; new student orientation; organizations

10   \*           \*           \*

11                   B.

12   \*           \*           \*

13                   (3) If the student receiving the information required by Paragraphs (1) and  
14                   (2) of this Subsection is a minor, the information shall also be provided to his parent  
15                   or legal guardian.

16                   C. Each organization as defined in R.S. 17:1801 shall, as a condition of  
17                   operating at an institution, adopt the hazing prevention policy that the institution has  
18                   adopted pursuant to Subsection A of this Section, which shall include possible  
19                   institutional sanctions against the organization in the event of a reported or  
20                   confirmed hazing incident, and a policy that prohibits hazing. Each organization  
21                   shall provide annually at least one hour of hazing prevention education that includes  
22                   education relative to such policies to all members, and prospective members, and  
23                   anyone who is employed by or volunteers with the organization. The education may  
24                   be provided in person, electronically, or both. Each organization shall submit a  
25                   report annually to the institution with which it is affiliated relative to the students,  
26                   employees, and volunteers receiving such education evidenced by an attestation of  
27                   ~~the student~~ such individuals receiving the education.

28   \*           \*           \*

1           §1805. Authority of university or college police officer

2                   A.

3   \*       \*       \*

4                   (3) While in or out of uniform, these police officers shall have the right to  
5           carry concealed weapons and to exercise the power of arrest when discharging their  
6           duties on their respective campuses and on all streets, roads, and rights-of-way to the  
7           extent they are within or contiguous to the perimeter of such campuses. In the  
8           discharge of their duties on campus and while in hot pursuit on or off the campus,  
9           each university or college police officer may exercise the power of arrest. For  
10          purposes of R.S. 14:40.8, the right of university or college police officers to carry a  
11          concealed weapon and to exercise the power of arrest when discharging their duties  
12          shall extend to alleged acts of hazing committed by members of an organization that  
13          is organized and operating at the university or college for which the police officer  
14          is commissioned regardless of the location where the alleged acts occurred.

15   \*       \*       \*

16                   B. Any person arrested by a college or university police officer, in the  
17           exercise of the power ~~hereinabove~~ granted pursuant to Paragraph (A)(3) of this  
18           Section, shall be immediately transferred by such officer to the custody of the sheriff  
19           or city police wherein the arrest occurs.

20   \*       \*       \*

21                   D. Upon authorization by the chief administrative officer of the educational  
22           institution, a college or university police officer shall have authority to discharge his  
23           duties off campus as follows:

24   \*       \*       \*

25                   (2) When investigating a crime committed on campus or when investigating  
26           the crime of criminal hazing committed off campus by members of an organization



